

7/2/2002

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Inventors: David M. Zendzian
Title: NETWORK-MONITORING SYSTEM
Filing Date: May 4, 2001
Serial Number: Unknown
Group Art Unit: Unknown
Examiner: Unknown

1C821 U.S. PTO
1C821 09/04/01
05/04/01



On an enclosed Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. § 1.56. A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. § 1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed Form PTO-1449 in accordance with MPEP § 609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56.

This statement qualifies under 37 C.F.R. § 1.97, subsection (b) because (check all that apply):

(1) It is being filed within 3 months of the application filing date
-- OR --
 (2) It is being filed within 3 months of entry of a national stage
-- OR --
 (3) It is being filed before the mail date of the first Office Action on the merits.

37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

a certification as specified in § 1.97(e) is provided below; or
 a fee of \$240.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement. Please note that a check in the amount of \$240.00 is enclosed in payment.

37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:

A. a certification as specified in § 1.97(e) is completed below; and

- B. a petition under 37 C.F.R. § 1.97(d) requesting consideration of this statement is submitted herewith; and
- C. a fee of \$130.00 as set forth in § 1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

Statement under 37 C.F.R. § 1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

Name: Hoyt A. Fleming III
Reg. No.: 41,752

Signature:



Date: May 4, 2001

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PATENT TRADEMARK OFFICE

INFORMATION DISCLOSURE
CITATION

PTO-1449

ATTY. DOCKET NO.
DMZ01-0001

APPLICATION NO.
Unknown

APPLICANTS
David M. Zendzian

FILING DATE
May 4, 2001

GROUP ART UNIT
Unknown

05/04/01
09/848870
JC621 U.S. PTO

U.S. PATENT DOCUMENTS

| EXAMINER'S INITIALS | PATENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE |
|---------------------|------------|---------------|-------------|-------|----------|---------------|
| | 5,452,415 | Sep. 19, 1995 | Hotka | 395 | 161 | Mar. 26, 1992 |
| | 5,878,420 | Mar. 2, 1999 | de la Salle | 707 | 10 | Oct. 29, 1997 |
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FOREIGN PATENT DOCUMENTS

| EXAMINER'S INITIALS | PATENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
|---------------------|------------|------|---------|-------|----------|-------------|----|
| | | | | | | Yes | No |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Big Brother System and Network Monitor, May 2, 2001

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.